REMARKS/ARGUMENTS

Claims 1-30 are pending in the present application. Claims 5-7, 10, 15-17, and 20-30 are canceled; claims 1-4, and 11-14 are amended; and claims 31-33 are added. Reconsideration of the claims is respectfully requested.

I. Interview Summary

On July 31, 2006, the Examiner and the undersigned attorney discussed the anticipation rejection in view of *Abecassis* as well as certain proposed claim amendments. No agreement was reached.

II. 35 U.S.C. § 102, Asserted Anticipation

The Examiner rejected claims 1, 2, 4-8, 11-12, 14-18, 21-22, and 24-28 as anticipated by *Abecassis*, Computer-Themed Playing System, U.S. Patent 5,589,945 (December 31, 1996) (hereinafter "*Abecassis*"). With respect to claims 5-7, 15-17, 21-22, and 24-28, the rejection is moot as these claims have been canceled. With respect to the remaining claims, 1, 2, 4, 8, 11, 12, 14, and 18, this rejection is respectfully traversed. The Examiner states that:

> **In regard to claims 1, 11 and 21,** Abecassis discloses "a video system comprising integrated random access video technologies and video software architectures for the automated selective retrieval of non-sequentially stored parallel, transitional, and overlapping video segments from a single variable content program source, responsive to a viewer's preestablished video content preferences. Embodiments of the video system permit the automatic transmission of the selected segments from a variable content program as a seamless continuous and harmonious video program, and the transmission of the selected segments from an interactive video game further responsive to the logic of the interactive video game. The viewer's video content preferences being stored in the video system, and/or in a compact portable memory device that facilitates the automatic configuration of a second video system. The system's controls also provide an editor of a variable content program the capability for efficiently previewing automatically selected video segments to permit the editor to indicate the inclusion of the selected segments in the program to be viewed by a viewer" (Abstract). The claimed limitation of "receiving a broadcast signal" is met by Figure 5 (See: Col 18, Line 64 - Col 19, Lines 18). The claimed limitation of "displaying a broadcast associated with said broadcast signal" is met by Figure 5, Item 506 (See: Col 12, Line 20-29). The claimed limitation of "recording said broadcast" is met by Figure 5, Item 514 (See: Col 14, Line 23-42; Col 18, Lines 10-26). The claimed limitation of "assigning one or more sessions to said recorded broadcast" is met by figures 3A-3C (See: Col 9, Line 34-49; Col 19, Line - Cot 20, Line 9). The claimed limitation of "associating one or more units with said one or more sessions" is met by Figure 7, 721 (See: Col 20, Lines 38-46; Col 19, Lines 30-39). The claimed limitation of "editing said recorded broadcast for one or more of said one or more sessions" is met by Figure 3A-3C (See: Col 9, Line 34 - Col 10, Line 5). The claimed limitation of "transmitting

> said edited broadcast to one or more of said one or more units associated with said one or more of said one or more sessions with a delay" is met by the disclosed video buffer (See: Col 14, Line 23-42; Col 16, Lines 47-65). In an alternative interpretation, a delay associated with a transmission is inherent due to signal propagation time over a transmission line/medium.

Office Action dated May 3, 2006, pp. 2-4.

A prior art reference anticipates the claimed invention under 35 U.S.C. §102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). Anticipation focuses on whether a claim reads on the product or process a prior art reference discloses, not on what the reference broadly teaches. *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983). In this case, every feature of the presently claimed invention is not identically shown in the cited reference, arranged as they are in the claims.

Applicants first address the rejection of claim 1. *Abecassis* does not anticipate claim 1 as amended because *Abecassis* does not teach all of the features of claim 1 as amended. Claim 1 as amended is as follows:

> 1. A method for controlling content of broadcast material, the method comprising the steps of:
>
> receiving a broadcast signal;
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> displaying a broadcast associated with the broadcast signal;
>
> recording the broadcast to create a recorded broadcast;
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> receiving an edited recorded broadcast at a master unit, wherein the edited recorded broadcast is formed when a user edits the recorded broadcast using the master unit, and wherein the edited recorded broadcast is a session;
>
> responsive to receiving input from the user to associate a subsidiary unit with the session, associating the subsidiary unit with the session using the master unit; and
>
> transmitting the session to the subsidiary unit, wherein the step of transmitting is performed in parallel with the step of receiving the edited recorded broadcast, wherein the subsidiary unit and the master unit are part of a home network, and wherein the step of transmitting is performed with a delay.

In particular, *Abecassis* does not teach "responsive to receiving input from the user to associate a subsidiary unit with the session, associating the subsidiary unit with the session using the master unit," as recited in claim 1 as amended. Nevertheless, *Abecassis* does teach:

> In a video provider, the implementation of the multiple read head architecture provides for the simultaneous retrieval of several versions of a program from a single program source to satisfy simultaneously the viewing requirements of several subscribers. A multiple read head architecture reduces, for example, the number of copies of a program that the on-line video provider requires.

> Alternatively, where cost effective, a variable content program may be entirely or partially stored in RAM.

Abecassis, col. 20, ll. 38-46.

The cited potion of *Abecassis* teaches that several versions of a program can be simultaneously retrieved from a single program source in order to satisfy the viewing requirements of the multiple subscribers. However, this teaching of *Abecassis* differs from the claimed step of "responsive to receiving input from the user to associate a subsidiary unit with the session, associating the subsidiary unit with the session using the master unit," because this claimed step allows the user of the claimed master unit to determine the content that the subsidiary unit receives. In contrast, in *Abecassis*, the content is determined by the requirements of the individual subscribers without regard to the input of a master unit. In other words, *Abecassis* fails to teach that content edited at a master unit, a "session" as claimed, can be transmitted to a subsidiary unit, as claimed. Therefore, *Abecassis* does not teach all of the features of claim 1.

Because claims 2, 4, and 8 depend from claim 1, the same distinctions between *Abecassis* and claim 1 apply for these claims. Consequently, the rejections of claims 2, 4, and 8 have been overcome.

Claim 11 contains features similar to those presented in claim 1. Therefore, *Abecassis* does not anticipate claim 11 for the reasons set forth above. Similarly, *Abecassis* does not anticipate claims 12, 14, and 18 at least by virtue of their dependency on claim 11.

Furthermore, *Abecassis* does not teach, suggest, or give any incentive to make the needed changes to reach the presently claimed invention. Absent the Examiner pointing out some teaching or incentive to implement *Abecassis* and master-based filtering, one of ordinary skill in the art would not be led to modify *Abecassis* to reach the present invention when the reference is examined as a whole. Accordingly, the rejection of claims 1, 2, 4, 8, 11, 12, 14, and 18 has been overcome.

III. 35 U.S.C. § 103, Obviousness

The Examiner rejected claims 3, 13, and 23 as obvious over *Abecassis* in view of *Tabuchi, et al.*, TV Community System That Enables Users to Build and Maintain a Community Associated With the Time-Line of TV Program, 1999, Scientific Publication Information Processing Research Report, Vol. 99, No. 7 (ISSN 0919-6072) (hereinafter "*Tabuchi*"). The rejection of claim 23 is moot, as this claim has been canceled. With respect to claims 3 and 13 this rejection is respectfully traversed. The Examiner states that:

> In regard to claims 3, 10, 13, 20, 23 and 30, Abecassis fails to disclose receiving input to annotate content of said recorded broadcast associated with one or more sessions where said annotated contents are transmitted to said one or more of said one or more units associated with said one or more of said one or more sessions.

> Tabuchi teaches receiving input to annotate content of said recorded broadcast associated with one or more sessions where said annotated contents are transmitted to said one or more of said one or more units associated with said one or more of said one or more sessions (Pages 3 and 11-2) so as to allow the viewer to participates and offer feedback. Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify Abecassis with the use of receiving input to annotate content of said recorded broadcast associated with one or more sessions where said annotated contents are transmitted to said one or more of said one or more units associated with said one or more of said one or more sessions for the stated advantage.

Office Action dated May 3, 2006, pp. 5-6.

A *prima facie* case of obviousness is established when the teachings of the prior art itself suggest the claimed subject matter to a person of ordinary skill in the art. *In re Bell*, 991 F.2d 781, 783, 26 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1993). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). In this case, a *prima facie* obviousness rejection cannot be established against claim 3 as amended because the proposed combination does not teach all of the features of claim 3 as amended.

As shown above, *Abecassis* does not teach or suggest all of the new features of the independent claims as amended. *Tabuchi* also does not teach or suggest all of the new features of the independent claims as amended. Instead, *Tabuchi* teaches a method for viewers receiving a broadcast to give feedback to the broadcaster and is devoid of disclosure regarding the new features of the independent claims as amended. Therefore, the proposed combination of *Abecassis* and *Tabuchi* does not teach or suggest all of the features of the independent claims as amended. Claims 3 and 13 depend from the amended independent claims. Therefore, no combination of *Abecassis* and *Tabuchi* can teach all of the features of the dependent claims. Accordingly, no *prima facie* obviousness rejection can be made against the dependent claims.

Additionally, the *Tabuchi* method for giving feedback to broadcasters differs significantly from the addition of annotations, as recited in claim 3. *Tabuchi's* feedback allows users to participate in the show. This feedback might alter future aspects of the show. For example, popular segments could be extended, and unpopular segments shortened. In contrast, claim 3's annotations do not alter future content of the show, but instead allow the modification of the recorded broadcast. *Tabuchi*'s method leads to an alteration of the broadcast for all members of a community; whereas the annotations added using the method of claim 3 are targeted towards only specific subsidiary units within a home network and can vary from unit to unit. Even if a motivation to combine *Tabuchi* with *Abecassis* could be found that pre-dated applicant's disclosure, the combination of *Abecassis* and *Tabuchi* does not teach all of the features of claim 3 as amended, nor suggest them to a person of ordinary skill in the art. Therefore, the rejection of claim 3 under 35 U.S.C. §103 has been overcome. Because the Examiner's rejections of

claim 13 is materially the same as the rejection of claim 3, the rejections under 35 U.S.C. §103 also have been overcome for claim 13.

Claims 9, 19, and 29 depend on amended independent claims. Therefore, a *prima facie* case for obviousness cannot be established for claims 9, 19, and 29 for the same reasons presented above.

IV. New Claims 31-33

Applicants have added claims 31-33 in this response. None of new claims 31-33 add new matter.

Claims 31 and 32 add to the method of claims 1 and 11 respectively by editing, in parallel, the recorded broadcast a plurality of times to produce a plurality of corresponding sessions. Neither *Abecassis* nor *Tabuchi* teaches or suggests this claimed feature.

Claim 33 is a method in which first and second sessions are specified, where each session is directed towards viewers in different age groups and each session is transmitted to different displays, as specifically. Neither *Abecassis* nor *Tabuchi* teaches or suggests this claimed feature, nor other features of claim 33.

V. Conclusion

It is respectfully urged that the subject application is patentable over *Abecassis* and *Tabuchi* and is now in condition for allowance. The Examiner is invited to call the undersigned attorney if the Examiner believes that additional amendments can place the application in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would otherwise expedite or aid the prosecution and examination of this application.

DATE: August 3, 2006

Respectfully submitted,

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